

**MINUTES OF
VILLAGE COUNCIL WORK SESSION
JUNE 11, 2013**

**395 MAGNOLIA ROAD
ASSEMBLY HALL
PINEHURST, NORTH CAROLINA
4:30 P.M.**

The Pinehurst Village Council held a Work Session at 4:30 p.m. Tuesday, June 11, 2013 in the Assembly Hall of the Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

Ms. Nancy Roy Fiorillo, Mayor
Mr. Douglas A. Lapins, Mayor Pro-Tem
Mr. John R. Cashion, Councilmember
Mr. Mark W. Parson, Councilmember
Mr. John C. Strickland, Councilmember
Mr. Andrew M. Wilkison, Village Manager
Ms. Lauren M. Craig, Village Clerk
And approximately 18 attendees, including 6 staff.

1. Call to Order.

Mayor Nancy Roy Fiorillo called the meeting to order.

2. Motion to go into Closed Session.

Councilmember Strickland moved to recess the Work Session and enter a Closed Session pursuant to NCGS 143-318.11 (a) (3) to consult with the Village Attorney in order to preserve the attorney-client privilege between the Village Attorney and the Village Council. The motion was seconded by Councilmember Cashion and carried unanimously.

GENERAL ACCOUNT

The Village Attorney briefed the Village Council on the status of the litigation between Mr. Mike McCrann and the Village of Pinehurst, and the litigation between the estate of Mr. Hank Armstrong and the Village of Pinehurst.

3. Motion to adjourn the Closed Session and Reconvene in Open Session.

Councilmember Strickland moved to adjourn the Closed Session and re-enter the Work Session. The motion was seconded by Councilmember Cashion and carried unanimously.

4. Call to Order of Work Session (5:30 p.m.).

Mayor Nancy Roy Fiorillo called the meeting to order.

5. Reports:

Prior to the Manager's report, Ed Dennison of the Moore County Board of Education introduced Ashlee Ciccone as the new principal of Pinehurst Elementary.

– Manager

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- The Village Manager reported that Natalie Dean will discuss trademarking the Village logo under Other Business and that some additional material were provided at Council seats.

– Council

- Councilmember Strickland indicated he had attended two meetings since the Council last met. The first was a follow up meeting on the Beautification Committee's enhancement plans and the planting guide. The Committee has reduced the number of planned projects from 25 to approximately 12 and there was a lot of discussion about the planting guide. The Beautification Committee would like to present an alternative planting guide and is working on it. In addition, Councilmember Strickland reported that he attended the US Opens Events Subcommittee meeting and a number of ideas were expressed for events during the US Opens. The Subcommittee will try to do a few things well and Village funds are likely to be needed to augment the funding for the programs planned.
- Councilmember Lapins reported on the Fayetteville Observer article about this year's US Open and suggested the Events Subcommittee review the article.
- Councilmember Cashion indicated he attended a meeting with staff to evaluate how the Village collects yard waste and he met with Mark Wagner on how to increase weekday rentals of the Fair Barn.
- Mayor Fiorillo discussed planning for the Pops on the Green event and encouraged the audience members to attend.

6. Action: Motion to Approve Consent Agenda.

All items listed below are considered routine or have been discussed at length in previous meetings and will be enacted by one motion. No separate discussion will be held unless requested by a member of the Village Council.

- A. Ordinance #13-28 An Ordinance Closing the Public Services Capital Project Fund.*
- B. Ordinance #13-29 An Ordinance Closing the Municipal Service District Fund.*

End of Consent Agenda.

Councilmember Strickland moved to approve the Consent Agenda. The motion was seconded by Councilmember Parson and passed unanimously with a vote of 5-0.

7. Discussion: Potential development of Rattlesnake Trail/McCaskill Road property.

Mr. Dave Crisafulli, representing landowners Mr. Van Camp and Mr. Karscig (Moore Investment Group), indicated he has partnered with Mr. Bob Koontz to create a redevelopment plan for the area between Kelly Road, McCaskill Road, Rattlesnake Trail, and Magnolia Road, which is being called Arbor Place. The development includes the extension of Kelly Road to Magnolia Road, improved parking for the Arboretum and a mixed use of residential (80%) and commercial (20%) development. It includes a total of 19 detached and 43 attached residential units, with a density of approximately 6 units per acre and a pedestrian connection through the property to the Arboretum from Rattlesnake Trail. Mr. Crisafulli indicated the detached units would be around the \$325,000 price point and attached units would be around the \$265,000 price point.

Mr. Crisafulli indicated Moore Investment Group owns 6.23 acres of the project site and the Village owns 6.1 acres of non-contiguous parcels on the proposed development site. Mr. Crisafulli indicated for the development to work, Moore Investment Group would ask the Village to trade the land owned by the Village for infrastructure improvements of an equivalent value. Mr. Crisafulli estimated to have \$500,000 as a present value total discounted over 20 years, which after the complete build-out, totals approximately \$50,000 annually.

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Manager Wilkison indicated the Village should investigate the potential of designating the area as a redevelopment zone, per the NC General Statutes. Under this designation, the Council could prepare a redevelopment plan and the Village could offer its property for sale with covenants and the redevelopment would have to comply with the prepared redevelopment plan. Mr. Crisafulli indicated he did not object to proceeding in that fashion.

Staff indicated the development would come to the Council as a Major Special Use when it is time to get approvals and the current zoning allows for 6-8 units per acre.

Mr. Crisafulli and Mr. Koontz responded to several specific questions about the development that were posed by Village Council members.

8. Action: Resolution #13-28 Adopting a policy regarding significant alterations to the public right-of-way and certain public spaces of the Village of Pinehurst.*

Assistant Village Manager Jeff Batton explained the need for Resolution #13-28. Upon the motion of Councilmember Lapins seconded by Councilmember Cashion, Resolution #13-28 was unanimously approved by a vote of 5-0. (A copy of the resolution is found in the Resolution Book).

9. Action: Discussion and motion authorizing the Mayor to execute the contract with McGill and Associates for Task Order #17.*

Councilmember Cashion moved to authorize the Mayor or her designee to execute the contract with McGill and Associates for Task Order #17 for on-call services effective July 1, 2013 to June 30, 2014. The motion was seconded by Councilmember Lapins and passed unanimously with a vote of 5-0.

10. Discussion: Downtown Restrooms and Welcome Center.

The Village Manager indicated the Village has had discussions with Marty McKenzie about potential modifications to the Theatre Building to convert the current restrooms in the building to public restrooms. Assistant Village Manager Jeff Batton also discussed the potential relocation of the Welcome Center to the Theatre Building and the requirement to make the building handicap accessibility.

The Council directed Assistant Village Manager Jeff Batton to proceed with discussions and negotiations with Marty McKenzie on leasing space in the Theatre Building for the Welcome Center and public restrooms. Councilmember Cashion and Mayor Fiorillo will also work with Jeff to negotiate a contract with Marty McKenzie.

Ms. Deb Myatt, owner of Le Femme Chateau, inquired why the Council did not want to put the Welcome Center/Restrooms on the Village Green. The Mayor indicated the Council does not want to erect an additional structure on the Village Green.

11. Action: Discussion and motion authorizing the Mayor to execute the Escrow Agreement between the Village of Pinehurst and Given Memorial Library.*

The Village Manager provided an overview of the draft Escrow Agreement between the Village and the Given Memorial Library. Councilmember Strickland provided some suggested wording to Sections 2 and 5 of the Escrow Agreement to clarify the Library is responsible for the escrow agent's fees and the person signing the agreement on behalf of the Library is an individual authorized by the Library's Board of Directors. Mayor Fiorillo asked the Village Manager to work with the respective attorneys to make the changes to the agreement identified by Councilmember Strickland.

12. Action: Ordinance #13-30 An Ordinance Amending the Budget of the Village of Pinehurst (Transfer of Appropriations to New Library Department).*

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The Village Manager explained the need for Ordinance #13-30. Upon the motion of Councilmember Lapins seconded by Councilmember Cashion, Ordinance #13-30 was unanimously approved by a vote of 5-0. (A copy of the ordinance is found in the Ordinance Book).

13. Action: Resolution #13-29 A Resolution Adopting the Village of Pinehurst Fees and Charges Schedule.*

The Village Manager explained the need for Resolution #13-29. Upon the motion of Councilmember Cashion seconded by Councilmember Strickland, Resolution #13-29 was unanimously approved by a vote of 5-0. (A copy of the resolution is found in the Resolution Book).

Resident Doug Middaugh inquired about a few of the fees identified and Parks and Recreation Director, Mark Wagner, responded.

14. Action: Ordinance #13-31 An Ordinance Amending the Budget of the Village of Pinehurst (Tufts Memorial Park Grand Opening Concert).*

The Village Manager explained the need for Ordinance #13-31. Upon the motion of Councilmember Cashion seconded by Councilmember Parson, Ordinance #13-31 was unanimously approved by a vote of 5-0. (A copy of the ordinance is found in the Ordinance Book).

15. Preview of Regular Meeting Agenda.

The Council did not preview the Regular Meeting Agenda.

16. Other Business.

- Assistant Village Manager Natalie Dean discussed trademarking the Village logo. Upon the motion of Councilmember Lapins seconded by Councilmember Strickland, the Village Council authorized the Village to proceed with registering the Village logo for Class 35 – Municipal Services at the federal level, by a vote of 5-0.
- Council discussed the Historic Preservation Commission (HPC) and the need to proceed with discussion on any changes in the procedures of the Commission and the size of the historic district. The Mayor requested the HPC provide the information the Council requested from them related to report needed to be submitted for the potential reduction of the size of the district. The Council decided to invite the HPC to come to the next Council meeting to discuss how the HPC should proceed and suggested a potential deadline of the end of July for the HPC to complete the study needed to reduce the size of the historic district.

17. Comments from Attendees.

Keith McDaniel (owner of Green Gate Olives), Sherry Mortensen (owner of the Faded Rose) and Deb Myatt (owner of Le Femme Chateau) indicated they (and other businesses) do not support the Council rescinding the ordinance that requires 1st floor space to be retail. Keith McDaniel presented a petition signed by Village Center merchants that indicated they also do not support the Council rescinding the ordinance.

Sherry Mortensen counted the number of commercial spaces on the main two blocks in Southern Pines and reported that there is 58% retail in Southern Pines compared to 38% retail in Pinehurst.

18. Adjournment.

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Councilmember Cashion moved to adjourn the Work Session. The motion was seconded by Councilmember Lapins and carried unanimously. The meeting adjourned at 8:40 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Natalie Dean", with a long horizontal flourish extending to the right.

Natalie Dean
Assistant Village Manager